

December 18, 2007

MINUTES OF THE CITY COUNCIL MEETING HELD DECEMBER 18, 2007

A Regular meeting of the City Council of the City of Hopewell, Virginia, was held Tuesday, December 18, 2007, at 6:15 PM in the City Council Chambers, Municipal Building, 300 North Main Street, Hopewell, Virginia.

PRESENT: Steven R. Taylor, Mayor
Brenda S. Pelham, Vice Mayor
Christina J. Luman-Bailey, Councilor
Curtis W. Harris, Councilor
Kenneth B. Emerson, Councilor
E. Randy Sealey, Councilor (arrived at 6:25 PM)
N. Gregory Cuffey, Councilor

Edwin C. Daley, City Manager
Edwin N. Wilmot, City Attorney
Ann M. Romano, City Clerk

Mayor Taylor opened the meeting at 6:15 PM. Roll call was taken as follows:

Mayor Taylor	-	present
Vice Mayor Pelham	-	present
Councilor Bailey	-	present
Councilor Harris	-	present
Councilor Emerson	-	present
Councilor Sealey	-	ABSENT (arrived at 6:25 PM)
Councilor Cuffey	-	present

WORK SESSION

Update on Concept Proposals for the Bluffs - March Altman, Assistant City Manager

Mr. Altman gave a presentation on several proposals for the Bluffs property development. Some included the property in front of Weston Manor, some did not. There is a wide variety of options. Administration needs guidance on Council's intent for the property, such as mixed, single-family, detached, or let the market determine the mix. There was discussion on whether to use a realtor or a developer. In January 2008 there will be a decision package before Council with the cost to develop the infrastructure and the benefits in going to a developer.

Sick Leave Buy Back - Dr. Edwin C. Daley, City Manager

Dr. Daley presented the Sick Leave Buy Back material to City Council. He explained the new PTO (Paid Time Off) implementation and the frozen sick leave issue. When the PTO system was implemented there were approximately 140 employees with banked sick leave. Under the former system, employees were allowed to recover either 25% of their banked sick leave or a max of \$2,500 at the time of their retirement, whichever was less, regardless of how much time they had banked. Presently the banked sick leave is valued at \$2,600,000. If each of the 140 employees were to retire and collect the max of \$2,500 it would cost the city \$350,000. The Committee discussed the perceived loss by employees. The proposal would cost the city \$600,000 over the next nine (9) years, and then it would be off the books.

Right now employees with banked sick leave may use three days per year of "unchallenged" sick leave. Also, should they have an illness or injury that would require them to be out of work, they could use their banked sick leave in lieu of the Short Term Disability leave or Long Term Disability Leave.

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To resolve the longstanding issue for the betterment of the City's financial position and its employees the Banked Sick Leave Committee recommends the following:

- City buy back 80 hours of 320 Banked Sick Leave hours yearly until balances are exhausted, employee retires, or employee uses balance for authorized purpose (25% per year).
- Buy-back options would reduce Banked Sick Leave balance by 320 hours per year.
- All employee Banked Sick Leave accounts would be purchased at the employee hourly rate as of date of approval to buy back.
- Employee with a dollar amount of Banked Sick Leave less than \$1,000 would be paid the dollar amount and his leave balance zeroed out.
- Employee with Banked Sick Leave hours of less than 320 hours would be paid at the percentage Banked Sick Leave hours divided by 320 hours times frozen hourly rate times 80 hours and his leave balance zeroed out.
- Employee with Banked Sick Leave balance would be allowed to use five (5) days for any Short-Term disability Benefit Period.
- Employee with Banked Sick Leave balance would be allowed to use any remaining balance for an extended medical or sickness event where employee was absent from work for an extended period.
- No other access or use of Banked Sick Leave balance would be authorized as of date of approval to buy back.

City Council Code of Conduct - Dr. Edwin C. Daley, City Manager

It was time for Council to convene into Closed Session and they were unable to discuss this issue in the Work Session.

CLOSED SESSION

At 7:00 PM **motion** was made by Councilor Harris, and seconded by Councilor Sealey to convene into Closed Session to discuss Appointments to Boards and Commissions, in accordance with Virginia Code Sec. 2.2-3711 (A)(1). Upon the roll call, the vote resulted:

Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Sealey	-	yes
Mayor Taylor	-	yes
Vice Mayor Pelham	-	yes

OPEN SESSION

At 7:30 PM Council convened into Open Session. Councilors responded to the question: "Were the only matters discussed in the Closed Meeting public business matters lawfully exempted from open meeting requirements; and public business matters identified in the motion to convene into Closed Session?" Upon the roll call, the vote resulted:

Mayor Taylor	-	yes
Vice Mayor Pelham	-	yes
Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Sealey	-	yes

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REGULAR MEETING

Mayor Taylor opened the regular meeting at 7:30 PM. Roll call was taken as follows:

Mayor Taylor	-	present
Vice Mayor Pelham	-	present
Councilor Bailey		present
Councilor Harris	-	present
Councilor Emerson	-	present
Councilor Sealey	-	present
Councilor Cuffey	-	present

In the absence of Sylvia Tucker, Chaplain-JRMC, Rev. Curtis W. Harris opened the meeting with prayer, followed by the Pledge of Allegiance to the Flag of the United States of America.

Mayor Taylor announced that two items from the Agenda of November 27, 2007 would be consolidated under UB-5 on this agenda. Unfinished Business - Eugene Pruett, 407 Sherman Avenue: (1) 407 Sherman Avenue - Compensation to owner for Actions by City of Hopewell in Inspection Process During Home Construction - Action: compensate Mr. Eugene Pruett as Council deems necessary; and (2) 407 Sherman Avenue - Abatement of Code Violations at Sherman Avenue - Action: Council to decide abatement of code violations.

Mayor Taylor invited Councilor Harris to the podium and presented him with a Proclamation upon his retirement as Pastor of Union Baptist Church. He thanked City Council for giving him the opportunity to serve with them.

PROCLAMATION

WHEREAS, the **Rev. Dr. Curtis W. Harris** was first licensed as a minister on July 13, 1956 by Dr. G. W. King, Pastor at Union Baptist Church in Hopewell, Virginia; and

WHEREAS, **Rev. Harris** was ordained as a minister on April 15, 1959 at Union Baptist Church and was called to pastor at First Baptist Church, Bermuda Hundred, Virginia; and

WHEREAS, he was called to pastor at Union Baptist Church, Hopewell and Little Gilfield Baptist Church, Ivor, Virginia in 1961 and served there until December 2007; and

WHEREAS, during his long career he has met many people, ministered to many souls, and made many statements - both vocal and physical - while serving the Lord; and

WHEREAS, **Dr. Harris** has devoted his life to tending his flock, sounding his voice for fairness and justice, and raising all Glory to God.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Hopewell, Virginia that the City of Hopewell recognizes

Reverend Doctor Curtis W. Harris

for his many years of service to Union Baptist Church, and wishes him health and peace in his retirement as Pastor.

IN WITNESS WHEREOF, this 18th day of December 2007.

Steven R. Taylor, Mayor

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Next, Mayor Taylor called John Nicol and Chief Tunstall, and Pam Anderson and Jim Gregory to come to the podium. Dr. Daley explained that the city has a cost savings program to which employees may enter suggestions and be nominated for recognition.

Jim Gregory nominated Pam Anderson from the Human Resources Department. Her suggestion will provide an annual cost savings to the city of approximately \$20,000-30,000 for job vacancy advertisements by working with the Richmond Times Dispatch and their link to Yahoo. Chief Tunstall nominated John Nicol who devised a tool to help one firefighter (instead of two or three) move fire hoses with kinks, filled with water, with less physical exertion. Each recipient was presented with a certificate and a check for \$250. Mayor Taylor applauded both employees and their efforts to do more with less.

Deputy Chief Ray Baxley introduced the new Police Chief Steve Martin, and his wife Naomi.

Dr. Daley thanked Deputy Chief Baxley for his help during the last six months.

CONSENT AGENDA

Motion was made by Councilor Harris, and seconded by Vice Mayor Pelham, to approve the Consent Agenda: Minutes Regular Meeting November 27, 2007 and Special Meeting & Public Hearing December 4, 2007; Pending List; Information for Council Review: [HRHA minutes 8/18/07 and Agenda 11/19/07; Waterfront Dev. Comm. minutes 9/17/07; Hopewell Twinning Assn. minutes 11/19/07 & 2008 meeting schedule; TSB minutes 10/2/07; Agenda 12/4/07; Senior Citizens Advisory Commission minutes 10/16/07; School Board Agenda 12/13/07; Personnel Change Report; Financial Report; Public Hearings Announcements: Set a Public Hearing on January 8, 2008 to consider a request from Lifestar Ambulance Service, Inc. to Operate an Ambulance Service in the City of Hopewell (JRMC Location); and set a Public Hearing to consider a request from PHI Air Medical Partnering with JRMC to Introduce Air Medical Services to Hopewell; Routine Approval of Work Sessions: Set a Council Advance/Work Session on Saturday, January 12, 2008, 8:30 AM - 4:00 PM (location to be announced); Ordinances on second and final reading: none; Proclamations/Resolutions/Presentations: none. Upon the roll call, the vote resulted:

Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Sealey	-	yes
Mayor Taylor	-	yes
Vice Mayor Pelham	-	yes

PUBLIC HEARING - VERIZON COMMUNICATIONS NETWORK EASEMENT ON CITY PROPERTY - LOCATED NEAR THE INTERSECTION OF ATWATER ROAD AND THE NEW CAMERON'S LANDING BOULEVARD

Johnnie Butler, City Engineer made a presentation to City Council. The ongoing and future development in this area of the City has created the need to run fiber optic cable so the existing and future homeowners in this area will have access to modern-day communication systems. This will include improved phone services, higher quality cable vision service and high speed internet services. The City of Hopewell owns the subject property. The switch gear (R/T) cabinet will be located alongside Cameron's Landing Boulevard. The road section of Cameron's Landing Boulevard will provide an entrance into the park. Just west of the park entrance is where the cabinet will be located.

The location of the cabinet was chosen carefully to avoid any conflicts with other plans of development for the park, such as future parking lots and circulation roads. No other adjacent property

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owners are impacted by the cabinet placement. The cabinet area will be surrounded by landscaping features. The total area of the utility easement is 1,180 square feet. There are no other conflicting utilities present on the property.

Mayor Taylor opened the Public Hearing at 8:00 PM.

Gerald McCoury, no address given, voiced complaints about Verizon service and no DSL.

Trisha, 406 North 8th Avenue, Hopewell, supports the project.

There being no other speakers, the public hearing was closed at 8:05 PM.

Motion was made by Councilor Sealey, and seconded by Councilor Cuffey, to approve an ordinance on first reading to authorize conveyance to Verizon of a communications network easement on City property in an open space area located near the intersection of Atwater Road and the new Cameron's Landing Boulevard inside Atwater Park. Upon the roll call, the vote resulted:

Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Sealey	-	yes
Mayor Taylor	-	yes
Vice Mayor Pelham	-	yes

COMMUNICATIONS FROM CITIZENS

Katherine Podlewski, 507 North 2nd Avenue, Hopewell, addressed Council with comments regarding the former Patrick Copeland Elementary School appearing on the City's website and issues regarding downtown development.

PRESENTATION - RECREATION COMMISSION - JO TUREK, DIRECTOR - DEPARTMENT OF RECREATION & PARKS

Jo Turek, Director of the Department of Recreation & Parks introduced Bobby Pershing, Chairman of the Recreation Commission. Mr. Pershing introduced members of the Recreation Commission: Kevin Granderson (HHS Senior), John Hayes, Brooke Hines (HHS Junior), Christopher Jamison (who started as a student member and has returned as a full member), John Loshkreff, James McMillen, and Jo Turek, Staff Coordinator. Jim McMillen and Kevin Granderson were in the audience. Mr. Pershing provided highlights (filed in the City Clerk's office) of the Recreation Commission over the past year and wished everyone Happy Holidays. Ms. Turek thanked the Recreation Commission for all they do for the City of Hopewell.

PRESENTATION - SENIOR CITIZENS ADVISORY COMMISSION - JO TUREK, DIRECTOR - DEPARTMENT OF RECREATION & PARKS

Jo Turek introduced Shirley Brannan, Chair of the Senior Citizens Advisory Commission. Ms. Brannan introduced the members in attendance: Libbie Dragoo, Wilma Crowder, Myrtle Casey, Paul Karnes, and Tommy Wells. Bob Parlier was unable to attend. Ms. Brannan provided an overview (filed in the City Clerk's office) of the Commission's activities during 2006 and 2007. She wished everyone Happy Holidays. Ms. Turek stressed how vital the commission is and voiced her appreciation for all they do.

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**PRESENTATION - VIRGINIA 2007 COMMUNITY COMMITTEE - CHERYL COLLINS,
PRESIDENT & CEO - HOPEWELL PRESERVATION, INC.**

Cheryl Collins, President and CEO of Hopewell Preservation, Inc. presented a wrap-up of events on behalf of the Virginia 2007 Community Committee. In January 2008 there will be a full report. A proclamation will be issued for the time capsule. Ms. Collins recognized some of the members who were present: Ann Williams, Paul Karnes, Jane McCullen, March Altman, Councilor Christina Bailey, Councilor Greg Cuffey, Vice Mayor Pelham, Mayor Steve Taylor, Jo Turek, and Herbert Bragg. Other members included: Chris Calkins, National Park Service; LuAnn Fortenberry, Director of Tourism; Jeanie Langford; and Libbi Newsom. She thanked Council for their support.

**PRESENTATION - WATERFRONT DEVELOPMENT COMMITTEE - JO TUREK,
DIRECTOR - DEPARTMENT OF RECREATION & PARKS**

Jo Turek and Wayne Walton Co-Chair the committee. Mr. Walton thanked the committee for all their work since 2001 and named the members: Councilor Christina Bailey; Lonnie Cooper, Dock Commission; Councilor Curtis Harris; John Hayes, Recreation Commission; Bob Kirby, National Park Service; John Loshkreff; Gerald Stokes; Steve Thomas, FOLAR; and March Altman, Assistant City Manager. Congressman Randy Forbes said that the river is key to the revitalization of the area.

Ms. Turek gave the presentation. They are planning to dredge the river; to purchase a small piece of land; and they have developed three maps. Comments from the three Waterfront Development meetings that have been held will be provided on the City's website. In January they will invite the public to find out what they want at that site. Mayor Taylor feels they should give as much access to the river to as many people as possible.

UNFINISHED BUSINESS - AMENDED CITY COUNCIL MINUTES - OCTOBER 23, 2007

At the City Council meeting on November 27, 2007, Councilor Christina Bailey removed the Council minutes of October 23, 2007 from the Consent Agenda for discussion of her proposed amendments. Mayor Taylor asked for a review of the tapes of the Regular Meeting on April 10, 2007, the Budget Work Session on April 23, 2007, and the Regular Meeting on October 23, 2007. He requested the minutes of October 23 be added to the agenda of the December 18, 2007 Council meeting for approval.

The audio tapes of the City Council Budget Work Session of April 23, 2007 were researched. The tape revealed discussion referring to the \$50,000 being allocated for the Downtown Development Manager, but put in reserve, and if the Main Street designation was received the money would be allocated. If not, the Downtown Development Manager position would be under the City Manager rather than the Downtown organization.

The motion made on April 10, 2007 was: "**Motion** was made by Councilor Harris, and seconded by Vice Mayor Pelham, to resolve to approve the Virginia Main Street Program resolution."

Councilor Bailey indicated that the Resolution does not give a dollar amount. The April 30, 2007 Budget Work Session give the dollar amount. The May 2, 2007 e-mail gives the dollar amount as \$50,000. It does not specify between full designation and affiliate status. There is a discrepancy and confusion on this point. The written document received by Council on May 2 was to allocate \$50,000 to the Main Street Program. There is still some ambiguity.

Councilor Harris felt the need to clear up this matter once and for all. There was a proposal made by the City Manager earlier. He wants to make it clear that the proposal from the City Manager became the guide for the Downtown Development Program.

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Motion was made by Vice Mayor Pelham, and seconded by Councilor Harris, to approve and file the minutes of the City Council meeting dated October 23, 2007, as amended. Upon the roll call, the vote resulted:

Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Sealey	-	yes
Mayor Taylor	-	yes
Vice Mayor Pelham	-	yes

CITIZEN/COUNCILOR REQUEST - HISTORIC HOPEWELL FOUNDATION - DR. JANE McCULLEN, AUGUSTUS ROBBINS ESSAY CONTEST AWARDS

Mayor Taylor moved Citizen/Councilor Request number three up on the agenda.

Historic Hopewell Foundation awarded the Augustus Robbins Essay Contest Awards to three Hopewell High School students at the Council meeting. Those students received monetary awards which were privately funded by three Historic Hopewell Foundation board members. Gus Robbins and Jane McCullen attended and Mr. Robbins presented the awards.

Mayor Taylor and Jane McCullen presented the Third Place Award to Kevin Granderson. His essay was on "City Point in the Civil War." The Second Place Award went to Alfredo who wrote on "Dupont Comes to Hopewell." The Grand Prize Award was presented to Traylor Norman whose essay was a result of interviews with a long time Hopewell resident, Roland Gill.

UNFINISHED BUSINESS - DOWNTOWN REDEVELOPMENT COMMITTEE

Motion was made by Vice Mayor Pelham, and seconded by Councilor Cuffey, to table making appointments to the Downtown Redevelopment Committee to January 8, 2008. Upon the roll call, the vote resulted:

Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Sealey	-	yes
Mayor Taylor	-	yes
Vice Mayor Pelham	-	yes

REGULAR BUSINESS - ALLIED WASTE SERVICES PROPOSAL TO CHANGE THE REFUSE COLLECTION SCHEDULE WITHIN THE CITY OF HOPEWELL

Mayor Taylor moved the Allied Waste Services proposal up because the representatives had come from out of town.

Allied Waste Services briefed local representatives of their desire to restructure the residential refuse collection schedules for the cities of Hopewell, Colonial Heights, and Petersburg. They intend to consolidate collection routes so that all residential customers will be serviced on either Monday or Tuesday. A map showing the revised collection schedule was shown. Similar consolidations are being implemented in the cities of Colonial Heights and Petersburg. Consolidating collection schedules throughout the tri-city area will allow AWS to concentrate all of their resources on a single community each day rather than divide their efforts among the three communities. Consolidation will allow AWS

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managers to provide closer supervision of their crews and provide more assets for mutual support in the event of unusually heavy workloads or equipment malfunctions. Collection services on Monday and Thursday in the central downtown business district will be continued. The target date for implementing the transition is the week beginning on January 7, 2008. AWS will be responsible for notifying all customers of the pending change in collection schedules. The CVWMA staff will distribute press releases to local media outlets publicizing schedule changes. AWS will work with residents for several weeks after the transition and collect their refuse. Councilor Emerson and Councilor Sealey sit on the Solid Waste Committee and neither saw any insurmountable problems to the proposal. Councilor Emerson requested a Solid Waste Committee meeting to discuss implementing a City-wide curbside recycling program during the 2008/2009 budget process.

The phone number for any complaints is 425-0500. That is also the number to call for missed pickups. If there is no response, call the General Manager in Richmond is 804-222-7007.

Motion was made by Councilor Sealey, and seconded by Councilor Emerson, to approve Allied Waste Services' proposal to change the refuse collection schedule within the City of Hopewell from a five-day schedule (Monday-Friday) to twice weekly (Monday & Tuesday). Upon the roll call, the vote resulted:

Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Sealey	-	yes
Mayor Taylor	-	yes
Vice Mayor Pelham	-	yes

UNFINISHED BUSINESS - HOPEWELL CITY COUNCIL - RULES OF CONDUCT, DR. EDWIN C. DALEY, CITY MANAGER

Dr. Daley placed the issue of the City Council Rules of Conduct on the agenda for the meeting of November 27, 2007 for discussion during the Work Session and during Regular Business. Due to the length of the Work Session, there was no time for discussion. Due to the late hour of the meeting on the 27th, it was tabled until this meeting.

It was recommended at that time that City Council study the draft Rules of Conduct, confer with the City Manager and City Attorney, and develop a final instrument for adoption.

Motion was made by Vice Mayor Pelham, and seconded by Councilor Bailey, to resolve to approve and file the Rules of Conduct for City Council.

During discussion, the question was raised of whether the same Rules of Conduct could apply to City Council's staff. The City Manager distributed the current Code of Conduct for Employees, which includes the three employees who work for Council.

When something is placed on the City Council agenda, all applicable paperwork must be provided to City Council in advance. If that is Council's policy, it will be enforced; that includes all Citizen/Councilor Requests. Items for discussion do not require backup; if an item requires action, it requires backup. There was some disagreement in that some Councilors wish to have backup material whether or not the item requires action.

Further discussion covered the point at which Council would address situations that they may feel are less than professional. There is a degree of frustration with the conduct among Council members and how city matters are handled. There is a section in Council's Rules & Procedures regarding discipline.

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The Rules of Conduct is a pact that Council makes with one another on how they will behave. The other part will provide guidance for staff.

There was discussion regarding city credit cards, which the City Manager opposes. The Rules of Conduct provide that if someone has a credit card and does not provide back up for reconciliation with the bill, the credit card can be revoked. This provides the policy that the City Manager will bring it to City Council. Many of these policies have been in place but have not been implemented.

At the Advance scheduled for January 12, 2008, Mayor Taylor asked that one of the items on the agenda be: If there is a CCR issue, a Work Session should be scheduled; develop the issue and bring it back to a regular council meeting to vote on.

There was a request for a report on which Council members have a credit card and what the charges were. Some Councilors favored the suspension of any current Council credit cards and have a new rule for City Council credit cards.

An unfriendly **amendment to the motion** was made by Councilor Emerson, and seconded by Councilor Sealey, that City Council should not have access to city credit cards.

A Point of Order was raised by Vice Mayor Pelham asking if that was an agenda item. Mr. Wilmot ruled that denial of the right to use credit cards by Council was not specifically contained in the Rules of Conduct, it was not considered an agenda item.

Councilor Bailey felt that there was nothing specific on the agenda to discuss the credit card issue at that time, without waiving the rules. There was no material in the packet to review. Councilor Bailey raised a Point of Order and asked the City Attorney if the credit card issue should have been considered an agenda item. Mayor Taylor asked the City Attorney to rule on the Point of Order. Mr. Wilmot ruled that the credit card discussion was not an agenda item. It should be a separate item so that everyone knows that use of credit cards will be discussed.

The amendment to the motion was ruled out of order.

Councilor Pelham stated that she had a city credit card as a convenience so that she would not have to charge the expenses of trips, conventions, and conferences on her own credit card.

Upon the roll call on the original motion, the vote resulted:

Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Sealey	-	yes
Mayor Taylor	-	yes
Vice Mayor Pelham	-	yes

City of Hopewell Council Rules of Conduct

Council members agree to represent the public interest and work with others to improve the quality of life for Hopewell citizens and visitors. It is further acknowledged that residents and businesses of Hopewell are entitled to have fair, ethical, and accountable local government. Such a government requires that public officials:

- comply with both the letter and the spirit of the laws and policies affecting operations of the government;
- be independent, impartial, and fair in their judgment and actions;
- use their public office for the public good, not for personal gain;
- conduct public deliberations and processes openly, (unless legally confidential in an atmosphere of respect and civility; and,
- act in a manner that supports the expectations of their constituents and enhances public confidence in the system of local government supporting this Code. Council confirms its commitment to serve public interest with fairness and integrity.

1. Act in the Public Interest

Recognizing that stewardship of the public interest must be their primary concern, Council members shall work for the common good of the people of Hopewell and not for any private or personal interest, and they will endeavor to treat all persons, claims, and transactions in a fair and equitable manner.

2. Respect for Process

Council member duties shall be performed in accordance with the processes and rules of order established by the City Council.

3. Conduct of Public Meetings

City Council members shall inform themselves of public issues, listen attentively to public discussions before the body, and focus on the business at hand.

4. Policy Role of Members

Council members shall respect and adhere to the Council-Manager structure of Hopewell City government as provided in State law and the City Charter.

5. Positive Work Environment

City Council members shall support the maintenance of a positive and constructive environment for residents, businesses, and city employees.

6. Conduct of Members

City Council members shall refrain from abusive conduct, personal charges, or verbal attacks upon the character or motives of other members of the City Council, boards, commissions, committees, staff, or the public. City Council members agree to be respectful of other Council members, city staff, and the public, and shall not degrade them in oral or written communication.

7. Comply with the Law

City Council members shall comply with the laws of the nation, the Commonwealth of Virginia, and the City of Hopewell in the performance of their public duties. These laws include, but are not limited to: the United States and Virginia constitutions; the Hopewell City Charter; laws pertaining to conflicts of interest, election campaigns, financial disclosures, employer responsibilities, and open processes of government; and city ordinances and policies.

8. Coordination with City Staff

Appropriate city staff should be involved when City Council members meet with officials from other agencies and jurisdictions to ensure proper staff support as needed and to keep staff informed. City Council members shall coordinate requests for city staff participation in these and other activities with Council-appointed staff only. City Council shall not contact other appointed staff for matters other than citizen request for service.

9. Use of Public Resources

Public resources not available to the general public (e.g., city staff time, equipment, supplies or facilities) shall not be used by City Council members for private gain or personal purposes. City Council shall review and approve credit card payments by members of Council without proper documentation prior to payment.

10. Decisions Based on Merit

City Council decisions shall be based upon the merits and substance of the matter at hand.

11. Communication

It is the responsibility of City Council members to publicly share substantive information that is relevant to a matter under consideration that they have received from sources outside of the public decision-making process with all other Council members.

12. Advocacy

To the best of their ability, City Council members shall represent the official policies and positions of the City Council. When presenting their personal opinions or positions, members shall explicitly state that they do not represent the City Council or the City. The Mayor or council-appointed staff shall present the city position on various issues to communities, state, and federal representatives unless otherwise directed by the City Council. The city shall disseminate only those positions.

13. Conflict of Interest

In order to assure their independence and impartiality on behalf of the public good, City Council members shall not use their official positions to influence government decisions in which they have a financial interest or where they have an organizational responsibility or a personal relationship that would present a conflict of interest under applicable state law.

In accordance with the law, members shall file written disclosures of their economic interest and if they have a conflict of interest regarding a particular decision, refrain from participating in that decision unless otherwise permitted by law.

14. Confidential Information

City Council members shall respect and preserve the confidentiality of information provided to them concerning the confidential matters of the Council. They shall neither disclose confidential information without proper legal authorization nor use such information to advance their personal, financial, or private interests.

15. Gifts and Favors

City Council members shall not take advantage of services or opportunities for personal gain by virtue of their public office, that are not available to the public in general. They shall refrain from accepting gifts, favors, or promises of future benefits that might compromise their independence of judgment or action, or give the appearance of compromising their independence.

16. Representation of Private Interests

In keeping with their role as stewards of the public trust, City Council members shall not appear on behalf of the private interests of a third-party before the City Council or any board, commission, committee, or proceeding of the City.

17. Improper Influence

City Council members shall refrain from using their position to improperly influence the deliberations or decisions of city staff, boards, commissions, or committees.

18. Disclosure of Corruption

All city officials shall take an oath upon assuming office, pledging to uphold the laws of the city, the commonwealth and the Federal Government. As part of this oath, officials commit to disclosing to the appropriate authorities and/or to the City Council any behavior or activity that may qualify as corruption, abuse, fraud, bribery, or other violation of the law.

19. Implementation

Ethics standards shall be included in the regular orientations for City Council candidates. Council members entering office shall sign a statement affirming that they have read and understood the City of Hopewell's City Council Code of Ethics.

20. Compliance and Enforcement

City Council members themselves have the primary responsibility to assure that the ethical standards are understood, met, and that the public can continue to have full confidence in the integrity of City government.

I affirm that I have read and understand the City of Hopewell City Council Personal Code of Conduct.

Signature

Date

UNFINISHED BUSINESS - OSAGE ORDINANCE - ORDINANCE ON SECOND READING

A Public Hearing was held on December 4, 2007 to receive public comments regarding whether to sell or give any or all of the City of Hopewell's right, title and interest in the following described real property: Parcel Nos: 048-0175 containing 42.789 acres more or less (commonly referred to as the "Exeter Site"); 048-0178 containing 9.940 acres more or less; 048-0179 containing 0.729 acres more or less; 048-0180 containing 0.927 acres more or less; 048-0181 containing 0.6545 acres more or less; and/or any adjacent City-owned rights-of-way generally bounded by South Main Street, LaPrade Avenue, South 6th Avenue, Winston Churchill Drive and N & W Railroad property, to Osage Bio Energy, LLC for the siting of an Ethanol production facility.

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An ordinance was approved on first reading on December 4, 2007 by a vote of 4 to 3.

DISCUSSION: Councilor Harris filed a Petition for an Injunction in Hopewell Circuit Court and it was heard on December 18, 2007. After the City Attorney's arguments, the Judge ruled that Osage could proceed with building the ethanol plant because the Exeter property was not a public place. Councilor Harris plans to appeal the Judge's decision. Discussion continued both for and against the ethanol plant at the Exeter site.

Motion was made by Councilor Cuffey, and seconded by Vice Mayor Pelham, to adopt Ordinance No. 2007-16 on second and final reading, authorizing the sale of the City of Hopewell, Virginia's right, title and interest in and to certain real property located in the City, authorizing the City Manager to execute all necessary and appropriate documents attendant to such sale, and authorizing the execution of all necessary and appropriate documents to settle and dismiss a lawsuit between the City, HDC, LLC v. City of Hopewell, et al.

Motion was made by Councilor Emerson to table the issue for 30 days to see what the real opportunities are.

Councilor Cuffey raised a Point of Order that the motion needed a second to continue discussion. The motion to table died for lack of a second.

Motion was made by Councilor Emerson to put the matter to a referendum for the voters to decide. The motion died for lack of a second.

After further discussion, Councilor Cuffey called for the question. Upon being questioned by Mayor Taylor, Mr. Wilnot responded that upon the roll call, the votes of those Councilors who have been given the opportunity to speak twice will automatically be recorded as a "yes."

Upon the roll call on the call for the question, the vote resulted:

Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	NO (automatically a " yes ")
Councilor Emerson	-	NO (automatically a " yes ")
Councilor Sealey	-	yes
Mayor Taylor	-	NO
Vice Mayor Pelham	-	NO

Upon the roll call on the original motion to adopt Ordinance No. 2007-16 on second and final reading, authorizing the sale of the City of Hopewell, Virginia's right, title and interest in and to certain real property located in the City, authorizing the City Manager to execute all necessary and appropriate documents attendant to such sale, and authorizing the execution of all necessary and appropriate documents to settle and dismiss a lawsuit between the City, HDC, LLC v. City of Hopewell, et al., the vote resulted:

Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	NO
Councilor Emerson	-	NO
Councilor Sealey	-	yes
Mayor Taylor	-	NO
Vice Mayor Pelham	-	yes

ORDINANCE NO. 2007-16

An Ordinance authorizing the sale of the City of Hopewell, Virginia's right, title and interest in and to certain real property located in the City, authorizing the City Manager to execute all necessary and appropriate documents attendant to such sale, and authorizing the execution of all necessary and appropriate documents to settle and dismiss a lawsuit between the City, HDC, LLC v. City of Hopewell, et al.

WHEREAS, in 1996, the City of Hopewell, Virginia ("City") acquired four parcels of real property, located in the City, Parcel Numbers: 048-0178 containing 9.940 acres more or less; 048-0179 containing 0.729 acres more or less; 048-0180 containing 0.927 acres more or less; 048-0181 containing 0.6545 acres more or less, totaling approximately 12.25 acres by deed recorded in the land book records of the City in Deed Book 280 at page 478 (hereinafter, the "City Property") (collectively with the HDC Property, as hereinafter defined, the "Property"); and

WHEREAS, HDC, LLC ("HDC") acquired legal title to a certain tract of land adjacent to the City Property, Parcel Number: 048-0175 totaling approximately 42.79 acres by deed dated June 25, 2002, and recorded in the land book records of the City as Instrument #020002147 (hereinafter, the "HDC Property") (collectively with the City Property, the "Property"); and

WHEREAS, the City and HDC entered into an agreement, dated October 25, 2000, entitled Agreement on the Redevelopment of the Exeter Site, Hopewell, Virginia (hereinafter, "Exeter Redevelopment Agreement") relating to the Property; and

WHEREAS, the City and HDC have asserted various claims, counterclaims and defenses in connection with the Exeter Redevelopment Agreement and the Property, in a lawsuit pending in the Circuit Court of the City of Hopewell, identified as HDC, LLC v. City of Hopewell, et al., CL2006-282 (the "Lawsuit"); and

WHEREAS, HDC and the City have been in the process of negotiating with each other and with Osage Bio Energy, LLC ("Osage") for the sale of Property to Osage for the development of an ethanol plant on the property, and the settlement of the Lawsuit, which sale and settlement are the subject of draft documents entitled "Development Agreement Between the City of Hopewell, Virginia and Osage Bio Energy, LLC," (hereinafter, the "Agreement") and "Settlement Agreement," which documents are attached hereto and incorporated by reference hereby; and

WHEREAS, in order to authorize the sale of the Property, it was necessary to conduct a public hearing, which hearing was held on Tuesday, December 4, 2007, and for which hearing public notice was properly and duly advertised; and

WHEREAS, sale of the Property and development of an ethanol production facility is deemed to be in the public interest, furthering the City's economic development by virtue of increased tax revenues and employment opportunities, and furthering the alternative energy production interests of the Commonwealth and United States; and

WHEREAS, the City is desirous of conveying the City's interest in and to the Property to Osage pursuant to the Agreement, and in settling the Lawsuit pursuant to the Settlement Agreement, to enable use of the Property for the purpose of the construction and operation of an ethanol production facility; and

WHEREAS, the Property is not of a kind necessitating a three-fourths vote of Council to convey, and is not a "public place" as contemplated under Va. Const., Art. VII, § 9 and Va. Code § 15.2-2100.

December 18, 2007

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HOPEWELL that the sale of the City's right, title and interest in and to the Property hereinabove described, to Osage for the purpose of the construction and operation of an ethanol production facility on said Property, substantially in accordance with the provisions of the Agreement and the Settlement Agreement, is hereby authorized.

BE IT FURTHER ORDAINED that the City Manager of the City of Hopewell, Virginia, or his authorized designee, is hereby authorized to execute all necessary and appropriate documents to effect the conveyance of the Property herein authorized, and to settle the Lawsuit, substantially in accordance with the Agreement and Settlement Agreement hereinabove identified.

BE IT FURTHER ORDAINED that this ordinance shall take effect immediately upon passage on second and final reading.

BE IT FURTHER ORDAINED that the recitals contained in the "Whereas" paragraphs herein shall be deemed part of this ordinance, and are adopted by City Council hereby.

BE IT FURTHER ORDAINED that to the extent that the provisions of this ordinance may be inconsistent with any previous ordinance, resolution or action by City Council, this ordinance shall control, and shall be effective to negate, nullify or modify said previous City Council action to the extent necessary to give full effect to this ordinance and the actions authorized hereby.

BE IT FURTHER ORDAINED that approval of this ordinance in and of itself shall not be deemed to be approval of an alternative development for the Property under the Exeter Redevelopment Agreement, or to constitute any approval of settlement of the Lawsuit between HDC and the City. Only when the HDC Property, as hereinabove described, has been conveyed by recorded deed to Osage, and when the City receives its purchase price for the City Property, shall this ordinance be deemed to have authorized approval of an alternative development for the Property and settlement of the Lawsuit between HDC and the City. Upon recordation of the deed to the HDC Property from HDC to Osage, and receipt by the City of the purchase funds for the City Property, to which it is entitled under the Agreement, the alternative development shall be deemed to have been approved, and the Lawsuit settled, in accordance with the Settlement Agreement.

RECESS

Mayor Taylor called for a ten-minutes recess at 11:25 PM.

The meeting reconvened at 11:35 PM.

UNFINISHED BUSINESS - EUGENE PRUETT, 407 SHERMAN AVENUE

Mayor Taylor announced that the two Citizen/Councilor Requests tabled from November 27, 2007 would be included under Unfinished Business. CCR-7 would be added as UB-6.

November 27, 2007

CCR-6. **Citizen/Councilor Request** - Mayor Taylor - 407 Sherman Avenue - Compensation to owner for Actions by City of Hopewell in Inspection Process During Home Construction
Action: compensate Mr. Eugene Pruett as Council deems necessary

Vice Mayor Pelham raised a Point of Order - She asked whether or not Mr. Keith Pruett could participate in the discussion. The City Attorney indicated that it was permissible if the Mayor asked him to, and he did.

December 18, 2007

Mayor Taylor recapped the decision from the last City Council meeting (November 27) to put Eugene Pruett into alternate housing, and the status at the present time.

Keith Pruett briefed Council on the issue regarding his father's (Eugene Pruett) property at 407 Sherman Avenue, Hopewell. There was discussion regarding the City's Department of Code Enforcement, its former employees, the builder, his license (or lack thereof), code inspections, Certificate of Occupancy (or lack thereof), the past and present city attorney, the past and present commonwealth's attorney, the condition of 407 Sherman Avenue, the health and safety issues at that property, the possible relocation of Eugene Pruett, and the possible reimbursement to Mr. Pruett for part or all of the expenses related to his property.

Motion was made by Vice Mayor Pelham, and seconded by Councilor Bailey, to schedule a Work Session with Mr. Pruett and the City Attorney to review the issues as presented regarding 407 Sherman Avenue, to include consideration of having the City Attorney assist Mr. Pruett in recovering on his judgments.

The City Attorney stated that he would not and could not provide legal advice or assistance to a private individual. As a local government attorney that is not permissible and he would not be a part of such an action.

A Substitute Motion was made by Councilor Emerson, and seconded by Councilor Cuffey to resolve to deny the claim by Eugene Pruett, 407 Sherman Avenue, and refer the matter to the Commonwealth's Attorney for action.

A Substitute Motion was made by Councilor Harris to refer the matter to the Commonwealth's Attorney for action, and to provide Mr. Pruett \$1,000 per month towards monthly rent to relocate him. The motion died for lack of a second.

A Substitute Motion was made by Councilor Sealey, and seconded by Councilor Cuffey, to allow the City Manager to discuss the matter with Eugene Pruett and to investigate the economic development prospects that he mentioned.

Councilor Emerson called for the question.
Upon the roll call, the vote resulted:

Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Sealey	-	yes
Mayor Taylor	-	yes
Vice Mayor Pelham	-	yes

UNFINISHED BUSINESS - MAYOR TAYLOR - 407 SHERMAN AVENUE (EUGENE PRUETT)
ABATEMENT OF CODE VIOLATIONS AT SHERMAN AVENUE

November 27, 2007

CCR-7. **Citizen/Councilor Request** - Mayor Taylor - 407 Sherman Avenue - Abatement of Code Violations at Sherman Avenue
Action: Council to decide abatement of code violations

Motion was made by Vice Mayor Pelham, and seconded by Councilor Harris, to table the issue of 407 Sherman Avenue (Eugene Pruett) abatement of code violations at Sherman Avenue. Upon the roll call, the vote resulted:

December 18, 2007

Councilor Cuffey	-	out of the room
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Sealey	-	yes
Mayor Taylor	-	yes
Vice Mayor Pelham	-	yes

TABLED THREE CITIZEN/COUNCILOR REQUESTS TO JANUARY 8, 2008 - REPORT ON 2007 NLC CONFERENCE; NAME STREET FOR COACH LITTLEPAGE; and INTRODUCE DELEGATE JOE MORRISSEY

Motion was made by Councilor Sealey, and seconded by Vice Mayor Pelham, to table three Citizen/Councilor Requests to January 8, 2008 - (1) Report on 2007 NLC Conference; (2) Name Street near the library for Coach Littlepage; and (3) Introduce Delegate Joe Morrissey. Upon the roll call, the vote resulted:

Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Sealey	-	yes
Mayor Taylor	-	yes
Vice Mayor Pelham	-	yes

CITIZEN/COUNCILOR REQUEST - HOPEWELL PRESERVATION, INC. - CHERYL COLLINS, PRESIDENT & CEO -REPORT ON LAST FIVE YEARS OF GROWTH ANDIMPACT TO THE DOWNTOWN

Hopewell Preservation, Inc. recapped the last five years of growth and impact to Hopewell's downtown. Cheryl Collins, President and CEO showed how they have leveraged the original City of Hopewell investment of \$1.3 million. She provided a background description, and pictures from then and now.

Ms. Collins indicated that she is the managing partner for the Beacon Theatre LP. She would be happy to have a Work Session with Council should they wish to schedule one.

CITIZEN/COUNCILOR REQUEST - COUNCILOR SEALEY -SET A PUBLIC HEARING TO DISCUSS RENOVATION AT MALLONEE SCHOOL

Councilor Sealey requested a Public Hearing to discuss renovations at Mallonee School. He indicated that the city has a draft contract with a developer for the Mallonee School. They proposed 35 to 40 two-bedroom units, with an on-site day care facility. It will have a sky box on the roof, parking lot improvements, and a field house.

DISCUSSION: Invite local business leaders to the public hearing. Make the contract available on line. In the future have sessions with the Chamber of Commerce before finalizing the contract. Concerns for being too hasty with the Garcia contract. If the final contract is not ready by the time of the public hearing, the draft will be used. Councilor Sealey is the Council Liaison to the Chamber of Commerce. The city has an obligation to get feedback from the community.

December 18, 2007

Motion was made by Councilor Sealey, and seconded by Councilor Cuffey, to schedule a public hearing on Tuesday, January 8, 2008 at 7:30 PM to receive public comments regarding the proposed sale and renovation of Mallonee School. Upon the roll call, the vote resulted:

Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Sealey	-	yes
Mayor Taylor	-	yes
Vice Mayor Pelham	-	yes

CITIZEN/COUNCILOR REQUEST - COUNCILOR BAILEY - DISCUSSION OF STREETSCAPING PLANS FOR EAST BROADWAY

Councilor Bailey discussed the streetscaping plans for East Broadway with the City Manager. She deferred to the City Manager.

Dr. Daley would first like a clear understanding of the cost and time frame of Phase I and how that affects the financing, and then talk about Phase II.

REGULAR BUSINESS - CRATER PLANNING DISTRICT COMMISSION (CPDC) - RESOLUTION PROPOSING AN AMENDMENT TO CPDC CHARTER TO FACILITATE THE ADDITION OF CHARLES CITY BOARD OF SUPERVISORS AS A COMMISSION MEMBER

The Charles City County Board of Supervisors expressed a desire to become a member of the Crater PDC, in light of other significant relationships that the County has with neighboring localities on this side of the river, such as the Riverside Regional Jail. The County would pay the same per capita rate that the other jurisdictions in Crater PDC pay and would have two members.

The Commission's executive committee discussed this request at its meeting on May 10 and recommended approval. At its June 28 meeting, the full Commission discussed the request and unanimously approved the Charter amendment to allow Charles City's membership.

The proposed amendment is on page three of the Commission's current Charter Agreement, "*(d) Charles City County may become a member of the Crater Planning District upon such terms and conditions as may be mutually agreed upon by the board of supervisors of said county and the COMMISSION.*" Article VIII on page seven of the Charter Agreement states that, "*this Charter Agreement may be amended, supplemented or superseded only by concurring resolutions from any combination of member governmental subdivisions who aggregate representation of the Commission constitute a quorum.*"

Motion was made by Councilor Emerson, and seconded by Councilor Sealey, to adopt the resolution to add Charles City County to the Crater Planning District Commission. Upon the roll call, the vote resulted:

Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Sealey	-	yes
Mayor Taylor	-	yes
Vice Mayor Pelham	-	yes

December 18, 2007

**AMENDMENT OF CHARTER AGREEMENT OF
CRATER PLANNING DISTRICT COMMISSION**

WHEREAS, Charles City County has requested Crater Planning District Commission membership, and

WHEREAS, the Crater Planning District Commission agreed to accept Charles City County as a member of the Crater PDC at its June 28, 2007, meeting.

NOW, THEREFORE, BE IT RESOLVED that the Charter Agreement of the Crater Planning District Commission be amended as follows:

1. That Section 1 of Article II be amended as follows:

**ARTICLE II
Membership**

- Section 1. (a) Each county, city and town of more than 3,500 population which is a party to this Charter Agreement shall have at least two representatives on the COMMISSION, who shall be appointed by the respective governing bodies of the participating governmental subdivisions. At least a majority of the members of the COMMISSION shall be officials of the governing bodies of the governmental subdivisions within the district, and the remaining members shall be qualified voters and residents of the district who hold no office elected by the people. An alternate may serve in lieu of one of the elected of each of the governing bodies of the participating governmental subdivisions.
- (b) A town of 3,500 or less population may petition the COMMISSION to be represented thereon. The COMMISSION may, in its discretion, grant representation to such town by a majority vote of the members of the COMMISSION.
- (c) Chesterfield County may become a member of the Crater Planning District upon such terms and conditions as may be mutually agreed upon by the board of supervisors of said county and the COMMISSION. (Amended - November-December, 1985)
- (d) Charles City County may become a member of the Crater Planning District upon such terms and conditions as may be mutually agreed upon by the board of supervisors of said county and the COMMISSION.**

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**CHARTER AGREEMENT OF THE
CRATER PLANNING DISTRICT COMMISSION**

This Charter Agreement to organize a Planning District Commission made this 1st day of May 1970, by and between the undersigned governmental subdivisions as authorized by the Virginia Area Development Act (Title 15.1, Chapter 34, Sections 15.1-1400, et seq., Code of Virginia (1950), as amended.)

NOW THEREFORE it is agreed that:

ARTICLE I

Name, Location , Authority, Purpose

Section 1. The name of this organization shall be the Crater Planning District Commission, hereinafter called the "COMMISSION."

Section 2. The principal office of the COMMISSION shall be in the area of Petersburg, Virginia. The location of the principal office may be changed by the concurrence of a majority of the COMMISSION members present at a regular meeting, provided that the clerk of the governing body of each member governmental subdivision has been notified of the contemplated relocation in writing at least thirty (30) days before such meeting.

Section 3. The COMMISSION shall be a public body corporate and politic, with all the powers and duties granted to it by the Virginia Area Development Act, as from time to time amended.

(Amended - September-October, 1992)

Section 4. The purpose of the COMMISSION shall be to promote the orderly and efficient development of the physical, social and economic elements of the Planning District by planning, and encouraging and assisting governmental subdivisions to plan for the future and, if requested by a member governmental subdivision or group of member governmental subdivisions, and to the extent the COMMISSION may elect to act, assisting the subdivisions by carrying out plans and programs for the improvement and utilization of said elements, such as environmental quality, transportation, solid waste, housing, land development, economic development, and other programs as deemed appropriate. To the extent the COMMISSION may elect to act, and when requested to do so by a member governmental subdivision or group of member governmental subdivisions, the COMMISSION may engage in any functions, and exercise any powers or authority, permissible under the Virginia Area Development Act, as from time to time amended. (Amended - September-October, 1992)

ARTICLE II

Membership

Section 1. (a) Each county, city and town of more than 3,500 population which is a party to this Charter Agreement shall have at least two representatives on the COMMISSION, who shall be appointed by the respective governing

Bodies of the participating governmental subdivisions. At least a majority Of the members of the COMMISSION shall be officials of the governing Bodies of the governmental subdivisions within the district, and the remaining members shall be qualified voters and residents of the district who hold no office elected by the people. An alternate may serve in lieu of one of the elected of each of the governing bodies of the participating governmental subdivisions.

(b) A town of 3,500 or less population may petition the COMMISSION to be represented thereon. The COMMISSION may, in its discretion, grant representation to such town by a majority vote of the members of the COMMISSION.

(c) Chesterfield County may become a member of the Crater Planning District upon such terms and conditions as may be mutually agreed upon by the board of supervisors of said county and the COMMISSION. (Amended - November-December, 1985)

(d) Charles City County may become a member of the Crater Planning District upon such terms and conditions as may be mutually agreed upon by the board of supervisors of said county and the COMMISSION.

December 18, 2007

- Section 2. Governmental subdivisions which are parties to this Charter Agreement shall appoint members of the COMMISSION on the following basis: Each governmental subdivision shall have at least two (2) members. First appointment shall be an elected official; second appointment shall be an appointed qualified voter and resident of the political subdivision who holds no office elected by the people. In addition to the minimum representation of two (2) members on the COMMISSION, the governing body of each participating governmental subdivision having a population of more than 20,000 persons shall be entitled to appoint one additional member for each 20,000 population (or fraction thereof) over 20,000, provided, however, that the total representation of any participating subdivision may not exceed four members. (Amended - November-December, 1985)
- Section 3. Vacancies on the COMMISSION shall be filled for the unexpired term in the same manner as the original appointment was made.
- Section 4. Any member of the COMMISSION shall be eligible for reappointment but may be removed for cause by the governing body which appointed him.

ARTICLE III

Terms of Office and Voting Rights

- Section 1. The terms of office of the COMMISSION members who are also members of governing bodies shall be coincident with their elected terms of office or such shorter term as their governing bodies shall determine. The terms of office of the citizen members shall be four (4) years.
- Section 2. Each member of the COMMISSION shall have one equal vote in all matters before the COMMISSION.

ARTICLE IV

Officers

- Section 1. Officers of the COMMISSION shall consist of a Chairman, Vice-Chairman, and Treasurer who shall be elected by the membership of the COMMISSION.
- Section 2. The Chairman, Vice-Chairman, and Treasurer shall be elected for terms of one year or until their successors are elected.
- Section 3. COMMISSION officers shall be eligible for re-election.
- Section 4. The COMMISSION shall appoint an Executive Director who shall be an employee of the COMMISSION and shall serve at the pleasure of a majority of the membership. The Executive Director shall also serve as Secretary. In the absence of an Executive Director, the COMMISSION shall elect a temporary Secretary.

ARTICLE V

Addition of Withdrawal of Members

December 18, 2007

- Section 1. Any governmental subdivision within Planning District Number 19 which is not a party to this Charter Agreement at the effective date thereof may thereafter join the COMMISSION provided that such governmental subdivision is eligible for membership and that it adopts and executes this Agreement.
- Section 2. Any governmental subdivision may withdraw from the COMMISSION by submitting to the COMMISSION in writing, at least 90 days before the end of the COMMISSION's then current fiscal year, a notice of intent to withdraw. Such withdrawal shall not become effective until the COMMISSION's fiscal year has ended.

ARTICLE VI

Appointment of an Executive Committee and Adoption of By-Laws

- Section 1. The COMMISSION may designate an Executive Committee and delegate to it such powers as the COMMISSION may determine, provided that these powers are not inconsistent with provisions of the Virginia Area Development Act.
- Section 2. The COMMISSION may adopt By-Laws and such other rules as it deems necessary to govern its operations.

ARTICLE VII

Meetings

- Section 1. The COMMISSION shall hold regular meetings quarterly or as called from time to time by the Chairman.
- Section 2. Meetings of the Commission shall be open to the public, however, the COMMISSION may hold executive meetings.

ARTICLE VIII

Amendments

- Section 1. This Charter Agreement may be amended, supplemented or superseded only by concurring resolutions from any combination of member governmental subdivisions whose aggregate representation of the COMMISSION constitute a quorum. All proposed amendments shall be submitted to the COMMISSION for its review and comment to the member governmental subdivisions.

ARTICLE IX

Date of Organization

- Section 1. The organization of the Crater Planning District Commission shall be effective on the 1st day of July 1970, or at such time after this date when the Charter Agreement has been adopted and signed by that governmental subdivision whose population when added to the aggregate population of those who have already adopted and signed the Charter Agreement embraces the majority of the population within Planning District Number 19.

December 18, 2007

The undersigned do hereby execute this Charter on behalf of their respective localities, which localities have duly approved adoption of the Charter, as amended and the undersigned are empowered to execute same on behalf of their respective localities.

Charles City County

Timothy W. Cotman
Chairman, Board of Supervisors

Chesterfield County

Kelly E. Miller
Chairman, Board of Supervisors

City of Colonial Heights

John T. Wood
Mayor

Dinwiddie County

Michael W. Stone
Chairman, Board of Supervisors

City of Emporia

Samuel W. Adams, III
Mayor

Greenville County

Peggy R. Wiley
Chairman, Board of Supervisors

City of Hopewell

Steven R. Taylor
Mayor

City of Petersburg

Annie M. Mickens
Mayor

Prince George County

Joseph A. Leming
Chairman, Board of Supervisors

Surry County

John M. Seward
Chairman, Board of Supervisors

Sussex County

Rufus E. Tyler, Sr.
Chairman, Board of Supervisors

**REGULAR BUSINESS - LEGISLATIVE MEMORANDUM - HERBERT BRAGG,
LEGISLATIVE LIAISON**

Herbert Bragg, Legislative Liaison provided a summary listing of the 2008 Legislative Priorities for the City of Hopewell.

- (1) Human Services Space Needs. The City is requesting funding assistance to support DSS for the construction of a new 28,000 square foot Human Services Building, in the amount of \$5 million dollars or rent/debt amortization in the amount of \$98,785 on an annual basis.
- (2) Crime Prevention. The City of Hopewell supports legislation to preserve law and order and promote safety, quality of life, and administration of justice within our communities. The Commonwealth should enhance its efforts to prevent juvenile crime, minimize violence in the schools, and reduce the formation and operation of gangs by providing funding for programs that prepares our youth to be productive, responsible, self-reliant members of society.

- (3) Downtown Historic District and the Beacon Theatre. The City of Hopewell is a Virginia Main Street affiliate and is committed to the revitalization of Hopewell's Downtown Historic District.
- (4) A vibrant downtown historic district will play a key role in Hopewell's on-going community development and provide a family-friendly urban center for both Hopewell natives and new military families brought in due to BRAC. The Beacon Theatre, located within the Downtown Historic District, will provide cultural and social opportunities for residents of Hopewell and surrounding communities.
- (5) Hopewell is requesting \$1 million dollars in this year's budget to assist with economic development and revitalization initiatives for its Downtown Historic District, promotion of tourism in the District, and the Beacon Theatre restoration project. Hopewell has shown local commitment to these projects through its involvement in the Virginia Main Street Program and its \$1.3 million investment in the restoration of the Beacon Theatre.
- (6) Regional Wastewater Treatment Plant Expansion/Nitrogen Reduction Efforts. The City supports legislation that provides continued funding of the Water Quality Improvement Fund (WQIF) and financial assistance with Nitrogen Reduction Efforts at the Regional Wastewater Treatment Facility.
- (5) K-12 Education (At-Risk Funding). The City of Hopewell supports additional new state education funding to (1) implement the recommendations of the 2003 JLARC study of education funding and (2) fully fund the revisions to the Standards of Quality adopted by the state Board of Education.
- (6) Comprehensive Services Act (CSA) / Mental Health Services for Children. The City of Hopewell does not support making CSA responsible for providing mental health services for children and increase funding for the mental health initiative fund. The MHI fund was established in 2000 to create a dedicated service of funding for mental health and substance abuse services for children and adolescents with serious emotional disturbances who do not meet the definition of CSA mandated population.
- (7) Emergency Operation Center/New Fire Station # 1. The City of Hopewell requests \$250,000 to conduct feasibility and design studies for a new EOC and Fire Station and purchase of property for the proposed facility.
- (8) Homeland Security/Harbor Master/BRAC Expansion. The City is requesting funding assistance to support our Harbor Master in the amount of \$300,000.00 to protect the water ways pursuant to Sec. 29-3 of the Code of Virginia, including protection of several hazardous chemical plants, bridges, marinas and numerous Natural Historic treasures, and also in preparedness for the Fort Lee Army Base/ BRAC expansion and in aiding the global fight on terror.
- (9) Social Services Staffing. The City of Hopewell is requesting additional state general funds revenue to ensure the appropriate number of eligibility and service workers needed in order to meet mandated application processing time requirements.
- (10) Social Services subsidized adoption assistance program. The City of Hopewell is requesting an additional base budget appropriation sufficient to fund the subsidized adoption program and maintain the funding formula that provides 100% reimbursement of expenditures

- (11) HB 599 Funding. The City of Hopewell opposes any legislation that would reduce, redirect, or restrict the utilization of HB 599 funds.
- (12) Library Funding. The City of Hopewell supports JLARC's Recommendation for continued funding of this program. The City supports the Virginia Library Association request for \$2.1 million for the first phase of FY 2008 and the remaining \$4.9 million in the next biennial budget.
- (13) Park Acquisition and Development. The City of Hopewell supports continued funding by the Commonwealth of Virginia to insure the growth of health initiatives, both physical and economic, for our growing senior population.
- (14) Preservation of Local Revenue. The City of Hopewell supports legislation to protect all local revenue authority.

State and Federal Related Budget Priorities

- (1) Riverfront Boardwalk and Trail. The City of Hopewell requests 100% funding of the Riverfront Boardwalk and Trail project.
- (2) Dredging of the City Marina and Copeland Bay. The City of Hopewell requests continued funding of the Community Development Block Grant (CDBG) Program and the inclusion of Hopewell as an entitlement community.
- (3) I-295 Sound Barrier Wall Extension (BRAC Related). The City of Hopewell requests federal funding to assist with the construction of I-295 Sound Barrier Wall Extension as a result of Fort Lee Base Realignment and Closure (BRAC) expansion project. Cost estimates are being developed.
- (4) Visitor Center and Grants Headquarters Relocation Project. The City of Hopewell requests funding support for the Visitor Center and Grant's Headquarters Relocation Project. The estimated project cost is \$2.9 million dollars and is scheduled to be funded in FY 2013.
- (5) Public Transportation/Increased Rail Transportation. The City of Hopewell requests funding from the state through a grant determination process to support an expanded public transportation system in concert with Fort Lee and Petersburg Area Transit (PAT). In addition, the City will explore and evaluate the possibility of purchasing a van (\$50,000) and staffing (\$65,000) for specific routes throughout the City. The estimated cost to fund this project is \$115,700.
- (6) Teen Center. The goal of the Teen Center is to assist young people to acquire organizational and leadership skills; strengthen their values; create a sense of community pride; promote cross cultural understanding; which will create a productive future in their lives and the community. The Teen serves youth on a daily basis and is open Monday through Saturday. Request funding to support the expansion of the Community Center for a Teen Center. The estimated cost of this project is \$690,000 with an annual staffing and operating cost of \$185,000.

Motion was made by Vice Mayor Pelham, and seconded by Councilor Sealey, to resolve to approve and file the 2008 Legislative Memorandum.

December 18, 2007

DISCUSSION: Concern that some legislators are less concerned with Hopewell and more concerned with the needs of Richmond and/or Suffolk; consider a “score card” for legislators on their actions at the General Assembly; preference of meeting with legislators face-to-face.

An amendment to the original **motion** was offered by Vice Mayor Pelham to add the Hopewell Redevelopment Committee. Councilor Sealey, who seconded the original motion, did not accept the amendment.

Mayor Taylor commended Herbert Bragg, Legislative Liaison, and all who worked on the 2008 Legislative Program. He asked that the document be brought back to Council with notes; show which legislators voted and how they voted.

Cheryl Collins, Beacon Theatre, Inc., was allowed to address Council. Last year Interim City Manager Steve Herbert put \$500,000 in the Legislative Package; now there is \$1 million. No one asked the Hopewell Preservation, Inc. what their needs were. If Council needs to remove the Beacon to use the money downtown, then do so. They do not need the public scrutiny. She recommended that Council find out what Delegate Riley Ingram has designated in his package.

Council discussion revealed that the \$1 million is designated to support three entities: the Downtown Historic District, the Beacon Theatre, and the Hopewell Tourism Department.

Motion was made by Vice Mayor Pelham, and seconded by Councilor Bailey, to amend the motion to add the Downtown Redevelopment committee to Section 3. The motion was subsequently withdrawn.

Upon the roll call on the original **motion** as amended by replacing the current Section 3 with, The City of Hopewell is a Virginia Main Street affiliate and is committed to the revitalization of the Hopewell Downtown Historic District, the vote resulted:

Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Sealey	-	yes
Mayor Taylor	-	yes
Vice Mayor Pelham	-	yes

REGULAR BUSINESS - COMMISSIONER OF THE REVENUE - APPROVE INCREASE IN TAX RELIEF FOR THE ELDERLY AND TAX RELIEF FOR THE DISABLED

Council’s Ad Hoc Committee for Tax Relief for the Elderly and Disabled recommended increasing the income limit to \$32,500 and net worth to \$100,000. They also recommended excluding \$10,000 income for disabled citizens.

Motion was made by Councilor Bailey, and seconded by Councilor Cuffey, to adopt an ordinance on first and only reading, to take effect immediately, prospectively, to increase the income limit to \$32,500 and net worth to \$100,000 for Tax Relief for the Elderly and Disabled., and to exclude \$10,000 income for disabled citizens for Tax Relief for the Disabled. Upon the roll call, the vote resulted:

Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Sealey	-	yes

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Mayor Taylor - yes
Vice Mayor Pelham - yes

ORDINANCE NO. 2007-17

An Ordinance Amending Ordinance 2004-20 pertaining to tax relief for the aged, to increase the maximum allowable income to qualify for exemption.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOPEWELL that Hopewell City Ordinance 2004-20 be amended as follows:

Exemptions shall be granted from local real estate taxation or a portion thereof owned by and occupied as the sole dwelling of a person or persons not less than 65 years of age. A dwelling jointly held by husband and wife may qualify if either spouse is over 65 years of age. Such exemptions shall be subject to the following restrictions and conditions:

- (1) The net combined financial worth, including equitable interests as of the 31st day of December of the immediately preceding calendar year, of the owners, and of the spouse of any owner, excluding the value of the dwelling and the land, not exceeding one acre, upon which it is situated does not exceed ~~\$75,000.00~~100,000.00.
- (2) The total combined income during the immediately preceding calendar year from all sources of the owners of the dwelling living therein and of the owners' relatives living in the dwelling does not exceed ~~\$29,000.00~~32,500.00, provided that the first \$4,000.00 of income of each relative who is not the spouse of an owner living in the dwelling shall not be included in such total.
- (3) Where the person claiming exemptions conforms to the standards and does not exceed the limitations contained herein, the tax exemption shall be as shown on the following schedule:
 - (a) Total combined income not exceeding ~~\$17,000.00~~18,500.00, the tax exemption shall be 100%;
 - (b) Total combined income exceeding ~~\$17,000.00~~18,500.00 and not exceeding ~~\$29,000.00~~32,500.00, the tax exemption shall be 50%.

The maximum tax deduction shall be \$850.00.

- (4) The person or persons claiming such exemption shall file annually with the Commissioner of the Revenue for the City of Hopewell, on forms supplied by the City, an affidavit setting forth the names of the related persons occupying such real estate; and that the total combined net worth, including equitable interests and the combined income from all sources, of the person or persons as specified in paragraphs one and two above does not exceed the limits prescribed therein. Such affidavit shall be filed not later than the 1st day of April each year. The Commissioner of the Revenue, jointly with the City Attorney, may permit late filing by first-time applicants or in hardship cases.

The Commissioner of the Revenue shall make such further inquiry of persons seeking such exemptions, requiring answers under oath, as may be reasonably necessary to determine qualification therefor as specified herein. Persons seeking such exemption may, in addition, be required to produce certified tax returns to establish their income or financial worth.

- (5) Such exemption may be granted for any year following the date that the qualifying individual occupying such dwelling and owning title or partial title thereto reaches the age of sixty-five

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years. Changes in respect to income, financial worth, ownership of property, or other factors occurring during the taxable year for which the affidavit is filed and having the effect of exceeding or violating the limitations and conditions provided herein, shall nullify any exemption prospectively. A prorated exemption shall be provided for the portion of the taxable year during which the taxpayer qualified for such exemption.

For purposes of this ordinance, a manufactured home shall be real estate if the owner's intention that it be permanently affixed is shown by the facts that (1) it is located on land belonging in whole or in part to the owner of the manufactured home, his spouse, parent, or child, and is connected to permanent water or sewage lines or facilities; or (2) whether or not it is located on land belonging to persons described in subsection (1), it rests on a permanent foundation, and consists of two or more mobile units which are connected in such a manner that they cannot be towed together on a highway, or consists of a mobile unit and other connected rooms or additions which must be removed before the mobile unit can be towed on a highway.

The fact that persons who are otherwise qualified for tax exemption are residing in hospitals, nursing homes, convalescent homes, or other facilities for physical or mental care for extended periods of time shall not be construed to mean that the real estate for which tax exemption is sought does not continue to be the sole dwelling of such persons during such extended periods of other residence so long as such real estate is not used by or leased to others for consideration.

This ordinance shall be deemed an emergency measure to take effect on January 1, 2008, after passage on first and only reading.

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ORDINANCE NO. 2007-18

An Ordinance Amending Ordinance 2004-21 pertaining to tax relief for the disabled, to increase the maximum allowable income to qualify for exemption, and to exclude up to \$10,000 income for permanently disabled owners.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOPEWELL that Hopewell City Ordinance 2004-21 be amended as follows:

Exemptions shall be granted from local real estate taxation or a portion thereof owned by and occupied as the sole dwelling of a person or persons who were determined to be permanently and totally disabled as provided in paragraph 7 of this ordinance. A dwelling jointly held by husband and wife may qualify if either spouse is totally and permanently disabled. Such exemptions shall be subject to the following restrictions and conditions:

- (1) The net combined financial worth, including equitable interests as of the 31st day of December of the immediately preceding calendar year, of the owners, and of the spouse of any owner, excluding the value of the dwelling and the land, not exceeding one acre, upon which it is situated does not exceed ~~\$75,000.00~~100,000.00.
- (2) The total combined income during the immediately preceding calendar year from all sources of the owners of the dwelling living therein and of the owners' relatives living in the dwelling does not exceed ~~\$29,000.00~~32,500.00, provided that the first \$4,000.00 of income of each relative who is not the spouse of an owner living in the dwelling shall not be included in such total. Up to \$10,000.00 of said income of an owner who is permanently disabled shall be excluded from the \$32,500.00 amount.

- (3) Where the person claiming exemptions conforms to the standards and does not exceed the limitations contained herein, the tax exemption shall be as shown on the following schedule:
- (a) Total combined income not exceeding ~~\$17,000.00~~ 18,500.00, the tax exemption shall be 100%;
 - (b) Total combined income exceeding ~~\$17,000.00~~ 18,500.00 and not exceeding ~~\$29,000.00~~ 32,500.00, the tax exemption shall be 50%.

The maximum tax deduction shall be \$850.00.

- (4) The person or persons claiming such exemption shall file annually with the Commissioner of the Revenue for the City of Hopewell, on forms supplied by the City, an affidavit setting forth the names of the related persons occupying such real estate and that the total combined net worth, including equitable interests and the combined income from all sources, of the person or persons as specified in paragraphs one and two above does not exceed the limits prescribed therein. Such affidavit shall be filed not later than the 1st day of April each year. The Commissioner of the Revenue, jointly with the City Attorney, may permit late filing by first-time applicants or in hardship cases. The Commissioner of the Revenue shall also make such further inquiry of persons seeking such exemptions, requiring answers under oath, as may be reasonably necessary to determine qualification therefor as specified herein. Persons seeking such exemption may, in addition, be required to produce certified tax returns to establish their income or financial worth.
- (5) Such persons claiming such exemption shall file annually with the Commissioner of the Revenue for the City of Hopewell a certification by the Social Security Administration, the Department of Veterans Affairs or the Railroad Retirement Board, or if such person is not eligible for certification by any of these agencies, a sworn affidavit by two medical doctors licensed to practice medicine in the Commonwealth, to the effect that such person is permanently and totally disabled as defined in paragraph 7 of this ordinance. A certificate by the Social Security Administration, so long as the person remains eligible for such Social Security benefits, shall be deemed to satisfy such definition in this section.
- (6) Such exemption may be granted for any year following the date that the qualifying individual occupying such dwelling and owning title or partial title thereto becomes permanently and totally disabled. Changes in respect to income, financial worth, ownership of property, or other factors occurring during the taxable year for which the affidavit is filed and having the effect of exceeding or violating the limitations and conditions provided herein, shall nullify any exemption prospectively. A prorated exemption shall be provided for the portion of the taxable year during which the taxpayer qualified for such exemption.
- (7) For purpose of this ordinance, a person is permanently and totally disabled if he is so certified as required in paragraph 5 as found by the Commissioner of the Revenue to be unable to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment or deformity which can be expected to result in death or can be expected to last for the duration of such person's life.

For purposes of this ordinance, a manufactured home shall be real estate if the owner's intention that it be permanently affixed is shown by the facts that (1) it is located on land belonging in whole or in part to the owner of the manufactured home, his spouse, parent, or child, and is connected to permanent water or sewage lines or facilities; or (2) whether or not it is located on land belonging to persons described in subsection (1), it rests on a permanent foundation, and consists of two or more mobile units which are connected in such a manner that they cannot be towed together on a highway, or consists of a

mobile unit and other connected rooms or additions which must be removed before the mobile unit can be towed on a highway.

The fact that persons who are otherwise qualified for tax exemption are residing in hospitals, nursing homes, convalescent homes, or other facilities for physical or mental care for extended periods of time shall not be construed to mean that the real estate for which tax exemption is sought does not continue to be the sole dwelling of such persons during such extended periods of other residence so long as such real estate is not used by or leased to others for consideration.

This ordinance shall be deemed an emergency measure to take effect on January 1, 2008, after passage on first and only reading.

REGULAR BUSINESS - COMMITTEE RECOMMENDATION TO ADDRESS THE EMPLOYEE BANKED SICK LEAVE ISSUE

When the city adopted the “new” PTO leave program, it created a situation as to how and when employees with banked sick leave may use it. City Administration recommended that Council approve the committee recommendation to buy-back banked sick leave at a 25% factor (80/320) hours, per year.

The change would become effective January 1, 2008, with first year buy-back effective the last pay period of June, 2008 and each year thereafter until banked sick leave balances are exhausted. Current long-term employees are stranded with a past benefit that cannot be fully utilized. In FY 08-09, the city would need to budget approximately \$220,000 and a decreasing amount for each following year until the program ends. The Banked Sick Leave Committee provided a report and financial worksheet projecting costs and rules for the program (filed in the City Clerk’s Office).

COMMITTEE RECOMMENDATIONS:

To resolve the longstanding issue for the betterment of the City’s financial position and its employees the Banked Sick Leave Committee recommended the following steps:

- City buy back 80 hours of 320 Banked Sick Leave hours yearly until balances are exhausted, employee retires, or employee uses balance for authorized purpose (25% per year).
- Buy-back options would reduce Banked Sick Leave balance by 320 hours per year.
- All employee Banked Sick Leave accounts would be purchased at the employee hourly rate as of date of approval to buy-back.
- Employee with a dollar amount of Banked Sick Leave less than \$1,000 would be paid the dollar amount and the leave balance zeroed out.
- Employee with Banked Sick Leave hours of less than 320 hours would be paid at the percentage Banked Sick Leave hours divided by 320 hours times frozen hourly rate times 80 hours and his leave balance zeroed out.
- Employee with Banked Sick Leave balance would be allowed to use five (5) days for any Short-Term Disability Benefit Period.
- Employee with Banked Sick Leave balance would be allowed to use any remaining balance for an extended medical or sickness event where employee was absent from work for an extended period.
- No other access or use of Banked Sick Leave balance would be authorized as of date of approval to buy-back.
- City Manager should take appropriate action to present this matter to City Council for review and discussion in December 2007.

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Motion was made by Councilor Cuffey, and seconded by Councilor Sealey, to resolve to approve and implement the Committee Recommendation to address the Employee Banked Sick Leave Issue. Upon the roll call, the vote resulted:

Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Sealey	-	yes
Mayor Taylor	-	yes
Vice Mayor Pelham	-	yes

REGULAR BUSINESS - RESIGNATION FROM THE NEIGHBORHOOD WATCH ADVISORY COUNCIL

Motion was made by Councilor Sealey, and seconded by Councilor Cuffey, to accept, with regrets, the resignation of Marion Hebert from the Neighborhood Watch Advisory Council. Upon the roll call, the vote resulted:

Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Sealey	-	yes
Mayor Taylor	-	yes
Vice Mayor Pelham	-	yes

REGULAR BUSINESS - APPOINTMENTS TO BOARDS & COMMISSIONS

Motion was made by Councilor Sealey, and seconded by Councilor Cuffey, to resolve to appoint Herndon Smith and Mildred Lindsey to the Senior Citizens Advisory Commission to fill unexpired terms extending through October 31, 2008; and to appoint Ruby Wellington to the Social Services Advisory Board for a term extending through October 31, 2011. Upon the roll call, the vote resulted:

Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Sealey	-	yes
Mayor Taylor	-	yes
Vice Mayor Pelham	-	yes

WAIVE THE RULES TO CONSIDER AMENDING THE DATES OF SOME 2008 AGENDA MEETINGS AND CITY COUNCIL MEETINGS

Motion was made by Vice Mayor Pelham, and seconded by Councilor Cuffey to Waive Council's Rules & Procedures to consider amending the dates of some 2008 Agenda Meetings and City Council Meetings. Upon the roll call, the vote resulted:

Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Sealey	-	yes

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Mayor Taylor	-	yes
Vice Mayor Pelham	-	yes

PROPOSAL TO AMEND THE DATES OF SOME 2008 AGENDA MEETINGS AND CITY COUNCIL MEETINGS

Motion was made by Councilor Emerson, and seconded by Councilor Cuffey to change the November 11, 2008 meeting to November 18, 2008 and to schedule the Fall Council Advance in November.

Motion was made by Councilor Emerson, and seconded by Vice Mayor Pelham, to table the proposal to amend the dates of some 2008 agenda meetings and City Council meetings. Upon the roll call, the vote resulted:

Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Sealey	-	yes
Mayor Taylor	-	yes
Vice Mayor Pelham	-	yes

REPORTS OF CITY COUNCIL MEMBERS

Councilor Bailey thanked the downtown merchants, Rev. Charles Bennett for the train, the Ft. Lee Army Band, Jack Kitchen, all who participated and everyone who came out on Saturday. She announced the "Pied Piper" at the Ft. Lee Playhouse.

Councilor Cuffey commended the Hopewell Police Department and Interim Chief Baxley for the recent drug sweep. He wished everyone Happy Holidays, Merry Christmas and a Happy New Year.

Councilor Sealey wished everyone a Merry Christmas.

Councilor Emerson expressed a jolly Ho! Ho! Ho! and a Merry Christmas to all.

Vice Mayor Pelham offered congratulations to the Hopewell High school ROTC upon receiving another award. In another matter, she referred to a citizen of Ward #3 who recently stayed at the Evergreen Motel and had a very bad experience. She gave the citizen's name to Councilor Emerson. The Vice Mayor announced that Hopewell Public Schools would be out from Thursday, December 20, 2007, through Wednesday, January 2, 2008. She wished everyone Happy Holidays.

Mayor Taylor wished everyone a Merry Christmas and a safe holiday.

ADJOURN

At 1:21 AM on December 19, 2007, **motion** was made by Councilor Sealey, and seconded by Councilor Cuffey, to adjourn the meeting. Upon the roll call, the vote resulted:

Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Sealey	-	yes
Mayor Taylor	-	yes

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Vice Mayor Pelham - yes

Steven R. Taylor, Mayor

Ann M. Romano, City Clerk